



## Fiscal Note

### H.B. 147

2022 General Session  
Death Penalty Modifications  
by Snow, V.



#### General, Education, and Uniform School Funds

JR4-4-101

	Ongoing	One-time	Total
Net GF/EF/USF (rev.-exp.)	\$19,200	\$(20,400)	\$(1,200)

#### State Government

UCA 36-12-13(2)(c)

Revenues	FY 2022	FY 2023	FY 2024
Total Revenues	\$0	\$0	\$0

Enactment of this legislation likely will not materially impact state revenue.

Expenditures	FY 2022	FY 2023	FY 2024
General Fund	\$0	\$(19,200)	\$(19,200)
General Fund, One-time	\$1,200	\$19,200	\$19,200
Total Expenditures	\$1,200	\$0	\$0

For cases that would otherwise be initially processed as death penalty cases but would now presumably be processed as cases carrying a life without parole penalty, enactment of this bill could save the Courts about \$19,200 ongoing from the General Fund, beginning in FY 2025 at the earliest from reduced legal processing costs and cost \$1,200 one-time in FY 2022 for programming changes which they can absorb. This bill could also have the following known secondary General Fund impacts: 1. Attorney General - This could save the Attorney General about \$44,500 each year in appeals costs for those offenders that would otherwise be awaiting a final determination on their sentence for each applicable case. Conversely, this could cost the Attorney General about \$1,084,900 ongoing in legal challenges for those currently sentenced but presumably do not qualify for the reduced sentence; 2. Corrections - Beginning in FY 2043, this could cost the Department of Corrections on average about \$36,200 each year in incarceration costs. This may also save the Department about \$165,000 one-time in preparation and execution costs for each applicable case; 3. Department of Administrative Services - This may save \$10,800 in legal defense each year from the Post Conviction Indigent Defense Fund in applicable cases; 4. Board of Pardon and Parole - This may save the Board \$22,400 one-time in hearing and research costs for each applicable case; 5. Department of Public Safety - This may save the Department of Public Safety \$7,500 one-time for evidence review costs for each applicable case; and 6. Courts - This could cost the Courts unknown amount in additional case processing for legal challenges from offenders who don't qualify for a penalty reduction under the proposed law.

	FY 2022	FY 2023	FY 2024
Net All Funds	\$(1,200)	\$0	\$0

**Local Government**

UCA 36-12-13(2)(c)

Under this bill, a penalty other than the death penalty would presumably be sought in about 2 cases every year, this could save counties up to \$400,000/case or more for a total of up to \$800,000 annually or more in additional prosecution and defense costs typically experienced in such cases. Local jails could save about \$18,200 in pre-trial incarceration costs. Also, for offenders that would otherwise be sentenced to death, this bill could save counties about \$36,300/year in appeals costs for every offender awaiting a final determination on their sentence, assuming these offenders will now be sentenced to life without parole.

**Individuals & Businesses**

UCA 36-12-13(2)(c)

Enactment of this legislation likely will not result in direct expenditures from tax or fee changes for Utah residents and businesses.

**Regulatory Impact**

UCA 36-12-13(2)(d)

Enactment of this legislation likely will not change the regulatory burden for Utah residents or businesses.

**Performance Evaluation**

JR1-4-601

This bill does not create a new program or significantly expand an existing program.

**Notes on Notes**

Fiscal notes estimate the direct costs or revenues of enacting a bill. The Legislature uses them to balance the budget. They do not measure a bill's benefits or non-fiscal impacts like opportunity costs, wait times, or inconvenience. A fiscal note is not an appropriation. The Legislature decides appropriations separately.